

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOHN DOUGLAS JONES, JR.,)
Plaintiff,)
) No. 1:23-cv-507
-v-)
) Honorable Paul L. Maloney
ALICIA DIANE WILLIAMS, *et al.*,)
Defendants.)
)

ORDER ADOPTING REPORT AND RECOMMENDATION

Plaintiff John Jones filed this civil rights lawsuit without the assistance of counsel. He requested and the Court approved leave to proceed without the payment of fees. The Magistrate Judge reviewed the complaint and issued a report recommending the Court dismiss the lawsuit for the failure to state a claim for which this Court might grant relief (ECF No. 9). Plaintiff filed objections. The Court has reviewed the record with careful attention to Plaintiff's objections. The Court will adopt the report and recommendation and will dismiss the lawsuit.

After being served with a report and recommendation (R&R) issued by a magistrate judge, a party has fourteen days to file written objections to the proposed findings and recommendations. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(2). A district court judge reviews de novo the portions of the R&R to which objections have been filed. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3). Only those objections that are specific are entitled to a de novo review under the statute. *Mira v. Marshall*, 806 F.2d 636, 637 (6th Cir. 1986) (per curiam).

The Magistrate Judge explained the background giving rise to the lawsuit, a factual discussion to which Plaintiff does not object. Plaintiff is being prosecuted in the state courts and has sued most of the individuals associated with the criminal proceedings.

The Magistrate Judge found that federal courts generally abstain from interfering in on-going state criminal proceedings absent extraordinary circumstances (R&R at 3 PageID.40). The Magistrate Judge then found that the allegations in the complaint “fall well short” of establishing extraordinary circumstances (*id.* at 4 PageID.41). Plaintiff objects. The Court overrules Plaintiff’s objection. Plaintiff raises concerns and issues about due process and jurisdiction relevant to the state proceedings. In the Court’s experience, those issue are hardly extraordinary. Those issues likely can be raised on appeal at the conclusion of the criminal proceedings.

The Court **ADOPTS** as its Opinion, the Report and Recommendation (ECF No. 9). The Court will dismiss this lawsuit. The Court **DISMISSES** Plaintiff’s pending motions as moot (ECF Nos. 4, 8, and 12).

IT IS SO ORDERED.

Date: July 7, 2023

/s/ Paul L. Maloney
Paul L. Maloney
United States District Judge